

NAME: CHRISTOPHER ROSEBORO		RECEIVED SCRANTON DEC 29 2000 FILED SCRANTON JAN 29 2001 PER <u> </u> DEPUTY CLERK
ADDRESS: CHRISTOPHER ROSEBORO. REG.NO# 29911-037 U.S.P. LEWISBUR. POST OFFICE BOX 1000 LEWISBURG, PA. 17837.		
or PLACE OF CONFINEMENT & PRISON NUMBER		
Note: If represented by an attorney, his name, address & telephone number Note: It is your responsibility to notify the Clerk of the Court, in writing of any change of address		
United States District Court 1: CV 01-0184 CASE NO: B-94-034 (To be supplied by the clerk of the United States District Court)		
FULL NAME: (Include name under which you were convicted) CHRISTOPHER ROSEBORO vs. DON ROMINE, WARDEN U.S.P. LEWISBURG, UNITED STATES OF AMERICA,		PETITION FOR WRIT OF HABEAS CORPUS BY A PERSON IN FEDERAL CUSTODY 28 U.S.C. § 2241
NAME OF WARDEN (or other authorized person having custody of petitioner) DON ROMINE, WARDEN U.S.P.		

INSTRUCTIONS - READ CAREFULLY

This petition shall be legibly handwritten or typewritten, signed by the petitioner, under penalty of perjury. You must set forth **CONCISELY** the answer to each question in the proper space on the form. Any false statement of a material fact may serve as the basis for prosecution and conviction for perjury.

You must not attach separate pages to this except that **ONE** separate additional page is permitted in answering Question No. 9.

PETITION FOR WRIT OF HABEAS CORPUS BY A PERSON IN FEDERAL CUSTODY

Upon receipt of a fee of \$5.00, your petition will be filed.

If you are seeking leave to proceed in forma pauperis (without paying the \$5.00 fee and costs), then you must also execute the declaration on the last page, setting forth information which establishes your inability to pay the fees and cost of the proceedings or to give security therefor. To proceed in forma pauperis, you must have an authorized officer at the penal institution certify as to the amount of money and securities on deposit to your credit in any account in the institution. If your prison account exceeds \$25.00, you must pay the filing fee as required by the district court.

When the petition is completed, the *original and two copies* must be mailed to the Clerk, United States District Court for the

Only one sentence, conviction or parole matter may be challenged in a single petition. To challenge more than one, you must do so by separate petitions.

Petitions which do not conform to these instructions will be returned with a notation as to deficiency.

PLEASE COMPLETE THE FOLLOWING: (check appropriate number)

This petition concerns:

1. ☒ a conviction
2. ☒ a sentence
3. ☐ jail or prison conditions
4. ☐ prison discipline
5. ☐ a parole problem
6. ☐ other

PETITION

1. Place of confinement U.S.P. LEWISBURG. POST OFFICE BOX 1000, LEWISBURG, PA. 178
2. Name and location of court which imposed sentence UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND. AT BALTIMORE, MD.
3. The indictment number or numbers (if known) upon which, and the offense or offenses for which, sentence was imposed:
(a) CR. B-94-034
(b) _____
(c) _____
4. The date upon which sentence was imposed and the terms of the sentence:
(a) AUGUST 11, 1994 600 MONTHS
(b) _____
(c) _____
5. Check whether a finding of guilt was made:
(a) ☐ After a plea of guilty
(b) ☒ After a plea of not guilty
(c) ☐ After a plea of nolo contendere
6. If you were found guilty after a plea of not guilty, check whether that finding was made by:
(a) ☒ a jury
(b) ☐ a judge without jury
7. Did you appeal from the judgment of conviction or the imposition of sentence?
☒ Yes ☐ No
8. If you did appeal, give the following information for each appeal:
(a)(1) Name of Court FOURTH CIRCUIT COURT OF APPEALS.
(2) Result AFFIRMED
(3) Date of Result N/A
(4) Citation or number of opinion 94-5902

- (5) Grounds Raised (list each) ① THE TRIAL COURT ERRED IN REFUSING TO
 (A) CONDUCT AN IN CAMERA REVIEW OF ALLEGED JONICKS ACT MATERIAL
 (B) ② FOURTH AMENDMENT VIOLATIONS.
 (C) ③. WHETHER THE TRIAL COURT ABUSED ITS DISCRETION BY
 (D) NOT GRANTING A SEVERANCE.

- (b)(1) Name of Court _____
 (2) Result _____
 (3) Date of result _____
 (4) Citation or number opinion _____
 (5) Grounds raised (list each)
 (A) _____
 (B) _____
 (C) _____
 (D) _____

CAUTION: If you are attacking a sentence imposed under a federal judgment, you must first file a direct appeal or motion under 28 U.S.C. § 2255 in the federal court which entered judgment.

9. State *CONCISELY* every ground on which you claim that you are being held unlawfully. Summarize briefly the *facts* supporting each ground. If necessary, attach a SINGLE page only behind this page.

CAUTION: If you fail to set forth all grounds in this petition, you may be barred from presenting additional ground at a later date.

- (a) Ground One SEE...MEMORANDUM ATTACHED

Supporting *FACTS* (tell your story *BRIEFLY* without citing cases or law).

CAUTION: You must state *facts not conclusions* in support of your grounds. A rule of thumb to follow is - who did exactly what to violate your rights at what time or place.

SEE...MEMORANDUM ATTACHED.

PETITION FOR WRIT OF HABEAS CORPUS BY A PERSON IN FEDERAL CUSTODY

(b) Ground Two SEE... MEMORANDUM ATTACHED

Supporting *FACTS* (Tell your story *BRIEFLY* without citing cases or law).

SEE... MEMORANDUM ATTACHED.

(c) Ground Three _____

Supporting *FACTS* (Tell your story *BRIEFLY* without citing cases or law).

(d) Ground Four _____

Supporting *FACTS* (Tell your story *BRIEFLY* without citing cases or law).

10. Have you ever filed previous petitions for habeas corpus, motions under Section 2255 of Title 28, United States Code, or any other applications, petitions or motions with respect to this conviction?
☒ Yes ☐ No

11. If your answer to Question No. 10 was yes, give the following information:

(a)(1) Name of Court FOURTH CIRCUIT COURT OF APPEALS

(2) Nature of proceedings SUCCESSIVE 28 U.S.C. §2255

(3) Grounds raised SAME GROUNDS RAISED IN THIS PETITION.

(4) Result DENIED

(5) Date of Result DECEMBER 11 , 2000

(6) Citation or numbers of any written opinions or orders entered pursuant to each disposition.

(b)(1) Name of Court _____

(2) Nature of proceedings _____

(3) Grounds raised _____

(4) Result _____

(5) Date of Result _____

(6) Citation or numbers of any written opinions or orders entered pursuant to each disposition.

12. If you did not file a motion under Section 2255 of Title 28, United States Code, or if you filed such a motion and it was denied, state why your remedy by way of such motion is inadequate or ineffective to test the legality of your detention.

SEE... MEMORANDUM ATTACHED.

PETITION FOR WRIT OF HABEAS CORPUS BY A PERSON IN FEDERAL CUSTODY

13. Are you presently represented by counsel? ☐ Yes ☒ No

If so, name, address and telephone number _____

Case name and court _____

14. If you are seeking leave to proceed in *forma pauperis*, have you completed the declaration setting forth the required information?

☐ Yes ☒ No,

WHEREFORE, petitioner prays that the court grant petitioner relief to which he may be entitled in this proceeding.

Christopher Basilio PRO-SE
Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Executed on _____

12/27/2000
(date)

Christopher Basilio PRO-SE
Signature of Petitioner

PETITION FOR WRIT OF HABEAS CORPUS BY A PERSON IN FEDERAL CUSTODY